

UNITED STA'... DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231
MEM/JVN/mm.10

Paper No. 7

RECEIVED

Thomas W. Tolpin
Amoco Corporation
55 Shuman Boulevard
Suite 600
Naperville, IL 60563-8487

NOV - 4 1994

THÍ. & LIC. DOCKET MAILED
OCT 27 1994
PETITIONS OFFICE

In re Application of Mark L. Collins, et al. Serial No. 07/944,505 Filed: September 14, 1992 Attorney Docket No. 25.835-06

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 24, 1994, to revive the above-identified application.

This application became abandoned for failure to respond in a timely manner to the final Office action of November 5, 1992 which set a shortened statutory period for response of three months. Therefore, the application became abandoned on February 6, 1993.

Since this petition was filed more than one year after the date on which the application became abandoned, the petition is barred; 37 CFR 1.137(b).

In view of the above, the present petition is dismissed as moot. Therefore, the petition fee of \$1,170 has not been charged to petitioner's Deposit Account.

Petitioner may have relief under the provisions of 37 CFR 1.137(a). However, in view of the fact that this case has been abandoned for an inordinate period of time, petitioner must show diligence between the time of becoming aware of the abandonment of the above-identified application and the filing of a petition to revive. Note <u>In re Application of S</u>, 8 USPQ2d 1630.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

ΠJ

Commissioner of Patents and Trademarks
Box DAC

Washington, D.C. 20231

By FAX:

(703) 308-6916

Attn: Office of Petitions

Telephone inquiries should be directed to the Office of Petitions Staff at (703) 305-9282.

Jeffrey V. Nase, Director

Office of Petitions

Office of the Assistant Commissioner

Q